

Under 35 USC 111(a) and Rule 53(b)

WITH SIGNED DECLARATION

PATENT APPLICATION

NONPROVISIONAL
NON REISSUE
NON PCT NAT PHASE

00909

J1000 U.S. PRO
10/032077
12/31/01

Sir:

Herewith is the PATENT APPLICATION of
Inventor(s): DYSERT et al.

Title LOGICAL RESTORES OF PHYSICALLY BACKED UP DATA

Atty. Dkt.:	P 283211	EMC-01-172
	M#	Client Ref

including:

Date: December 31, 2001

1. Specification: 13 pages (only spec. and claims) 2. ☐ Specification in non-English language
3. Declaration ☐ Original ☒ Facsimile/Copy ☒ Abstract 1 page(s); 4 numbered claims
4. ☒ Drawings: 5 sheet(s) ☒ informal; ☐ formal of size: ☐ A4 ☒ 11"
5. ☐ See top first page re prior Provisional, National or International application(s). ("X" box only if info is there and do not complete item 6 or 7). (Prior M# _____ SN _____)
6. This application claims benefit of the following prior US application(s), the contents of which are incorporated into this application by this reference:

No.	/	filed	_____
No.	/	filed	_____
No.	/	filed	_____
No. PCT	/	filed	_____, Which

designated the US and that International Application ☐ was ☐ was not published under PCT Article 21(2) in English

7. ☐ See the attached Preliminary Amendment, which amends the specification to claim benefit of the above listed US application(s)
8. ☒ Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.
9. ☐ Assignee (optional):

Address

10. **FOREIGN** priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in

11. _____ (country)

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	
(5)		(6)	
(7)		(8)	
(9)		<input type="checkbox"/> See 3 rd page for additional priorities	

12. _____ (No.) Certified copy (copies): ☐ attached; ☐ previously filed (date) _____
in U.S. Application No. _____ / _____ filed on _____
13. Small entity status ☐ is **not** claimed; ☐ is claimed (**Pre-filing confirmation required**)
- 13(a). ☐ Attached: _____ (No.) Small Entity Statement(s) (since 9/8/00 small entity statement(s) **not essential** to make claim)
- 13(b). ☒ See **NONPUBLICATION REQUEST** under Rule 213(a) attached (Pat-258)

14. **DOMESTIC/INTERNATIONAL** priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1)		(4)	
(2)		(5)	
(3)		(6)	

15. ☐ This application is being filed under Rule 53(b)(2) since an inventor is named in the enclosed Declaration who was not named in the prior application.

16. ☐ Attached:

17. ☐ Preliminary Amendment:

THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED

				Large/Small Entity		Fee Code
18. Basic Filing Fee				\$740/\$370	\$740	101/201
19. Total Effective Claims	4	minus 20 =	*0	x \$18/\$9 =	+ 0	103/203
20. Independent Claims	1	minus 3 =	*0	x \$84/\$42 =	+ 0	102/202
*If answer is zero or less, enter "0"						
21. If any proper multiple dependent claim (ignore improper) is present, add (Leave this line blank if this is a reissue application)				+ \$280/\$140	+ 0	104/204
22. TOTAL FILING FEE ENCLOSED =					\$740	
23. If "non-English" box 2 is X'd, add Rule 17(k) processing fee				+ \$130	+ 0	139
24. If "assignment" box 8 is X'd, add recording fee				+ \$40	+ 40	581
25. <input type="checkbox"/> Attached is a Petition/Fee under Rule No.				+ \$130	+ 0	122
26. TOTAL FEE ENCLOSED =					\$780	

Our Deposit Account No. 03-3975

Our Order No. 23501 C# 283211 M#



00909

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown above for which purpose a duplicate copy of this sheet is attached.

This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

Pillsbury Winthrop LLP
Intellectual Property Group

By Atty: Anthony L. Miele

Reg. No. 34393

Sig:

Fax: (703) 905-2500

Tel: (703) 905-2146

Atty/Sec: ALM/sdm

NOTE: File in duplicate with 2 post card receipts (PAT-103) & attachments

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

Inventor(s): DYSERT et al.

Atty Dkt: 23501 / 283211
C# M#

Filed: Herewith

NOTE: Request will **NOT** be honored by PTO
if filed later than the application.

Title: LOGICAL RESTORES OF
PHYSICALLY BACKED UP
DATA

MUST be filed with the application initially.

NONPUBLICATION REQUEST UNDER RULE 213(a)

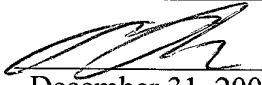
The attached new application is **NOT TO BE PUBLISHED** under 35 U.S.C. §122(b).

I hereby certify that the invention disclosed in the attached new application has not been
and will not be the subject of an application filed in another country, or under a multilateral
international agreement, that requires publication at eighteen months after filing.

This request is signed in compliance with the provisions of Rule 33(b) by the signature(s)
in one of the three columns below.

Respectfully Submitted,

1003207 123101

Inventor(s)	Assignee(s) of Record Per Enclosed Assignment	By Atty.: Anthony L. Miele
Sig: _____	Assignee: EMC Corp	Reg. No.: 34393
Name: DYSERT, David C.		
Date: _____		
Sig: _____	By _____	Sig: 
Name: Robert A. BOUDRIE	Name: _____	Date: December 31, 2001
Date: _____	Title: _____	Tel.: _____
	Date: _____	Fax: _____
Sig: _____	Assignee: _____	
Name: _____		
Date: _____		
	By _____	
	Name: _____	
	Title: _____	
	Date: _____	